IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 2110 of 2005

Between:

Mareddi Ravindranath Reddy, S/o Krishna Reddy,
R/o Kasanur village, Simhadripuram Mandal, Pulivendula Assembly

Constituency, Kadapa District.

..... PETITIONER

AND

1 The Superintendent of Police, Kadapah, Kadapah District.
2 The Deputy Superintendent of Police, Kadapah, Kadapah District.
3 The Deputy Inspector General of Police, Kurnool, Kurnool District.
4 The Inspector General of Police, Hyderabad.
5 The Principal Secretary, Home Department, Secretariat, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of "Writ of Mandamus" declaring the inaction of the respondents to provide an Armed Police Constable as security to the petitioner, otherwise the petitioner life will be in danger and to pass such other order or orders.

Counsel for the Petitioner:MR.A.PRABHAKAR RAO

Counsel for the Respondents: GP FOR HOME

The Court made the following :

ORDER:

Petitioner claims to be active in politics. He is a resident of Kasanur Village, Simhadripuram Mandal, Pulivendula Assembly Constituency. He states that he made a representation to the 1st respondent on 22.08.2004, to provide one armed police constable for his security. He complains that no action has been taken thereon, and seeks appropriate directions.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

The Government issued guidelines in the matter of providing security for constitutional and statutory functionaries as well as private citizens within the State. They are contained in G.O.Rt.No.655, Home (SC) Department, dated 13.03.1997. The circumstances under which such protection is to be accorded and the terms and conditions for the same are stipulated therein. Petitioner claims that he falls under category – 4, namely, private person, not holding any Government or constitutional post. Under Clause C (2) of the guidelines even a private individual is entitled for security if there exists threat perception. They are, however, required to make advance payment and the security is to be provided subject to availability of manpower to the unit officer. Petitioner had already submitted a representation. The question as to whether he fulfils the conditions for being provided with an armed police guard needs to be considered. The matter cannot be kept pending indefinitely.

Hence, the writ petition is disposed of directing the 1st respondent to pass appropriate orders on the representation made by the petitioner, within a period of two weeks from the date of receipt of a copy of this order. No order as to costs.

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L.NARASIMHA REDDY, J

Dated : 10.02.2005

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To

1 The Superintendent of Police, Kadapah, Kadapah District.
2 The Deputy Superintendent of Police, Kadapah, Kadapah District.
3 The Deputy Inspector General of Police, Kurnool, Kurnool District.
4 The Inspector General of Police, Hyderabad.
5 The Principal Secretary, Home Department, Secretariat, Hyderabad.

6 2 CCs to G.P. for Home, High Court of A.P., Hyderabad.

7 2CD copies.